



# CIRCULAR

## STATE OF NEW JERSEY

### DEPARTMENT OF THE TREASURY

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| NO.: 10-05-ADM                                     | ORIGINATING<br>AGENCY: DIVISION OF ADMINISTRATION | PAGE 1 OF 7           |
| EFFECTIVE<br>DATE: 07-23-09                        | EXPIRATION<br>DATE: INDEFINITE                    | SUPERSEDES: 08-16-ADM |
| SUBJECT: STATE VEHICULAR ASSIGNMENT AND USE POLICY |   |                       |
| ATTENTION: ALL DEPARTMENTS AND AGENCIES            |   |                       |
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#### I. PURPOSE

Pursuant to Executive Orders 4 and 33, the Division of Administration (the "Division") is responsible for management and control of all State vehicles. The purpose of this circular is to establish uniform guidelines on the assignment and use of State vehicles. Within this context, State vehicle means any device, owned or leased which must be registered with or licensed by the Motor Vehicle Commission, except aircraft and watercraft. Vehicles titled to and registered to autonomous agencies and State colleges are also exempt.

#### II. VEHICLE ASSIGNMENT

The Director of the Division of Administration (the "Director") or the Director's designee may authorize the lease or purchase and assignment of State vehicles for the conduct of official State business. The vehicles may be assigned either to individuals or to agencies for pool use according to the following classifications:

##### A. EXECUTIVE ASSIGNMENTS

Vehicles shall be assigned permanently to the head of each principal department of State government, to the Chairman of the Board of Public Utilities, to the Chairman of the Casino Control Commission, to the Chief of Staff for the Governor's Office, and to such other members of the Governor's staff as shall be designated by the Chief of Staff.

##### B. AGENCY POOL ASSIGNMENTS

An agency may be permanently assigned a State vehicle only if employees of the agency will collectively use the vehicle for more than an average of 750 miles per month on official State business. Such assignments shall be made upon application by the head of the principal department with the approval of the Director or his/her designee.

Individual exceptions to this policy may be considered on a case-by-case basis by the Director when justified by extenuating circumstances.

Pool vehicles shall remain at the office location when not in official use. In special cases when secured parking is not available, an alternate plan shall be submitted to the Director for approval.

#### C. INDIVIDUAL ASSIGNMENTS

State employees not covered under Section II. A. may be assigned vehicles permanently if required by their formal job duties. Such vehicles shall be assigned only if they will be used on official business for more than an average of 1,250 business miles per month. Individual exceptions to this policy may be considered on a case-by-case basis when justified by extenuating circumstances.

Vehicles cannot be assigned, under any circumstances for any of the following reasons:

- Sub-cabinet, Board, Commission and any assignments to administrative personnel where business miles do not exceed 1,250 miles per month.
- Assignments whereby the primary purpose is commutation when comparing business miles to commutation miles.
- Assignments to Board and Commission members, except those identified in Section II. A. of the circular, where business miles do not exceed 1,250 miles per month.

#### D. TEMPORARY ASSIGNMENTS

As necessary, individual State employees who do not have access to a pool or individually assigned vehicle may temporarily (up to five days) be assigned vehicles from Transportation Services at the prescribed daily rate. Temporary assignments of a longer duration may be granted based on documentation of need and the availability of rental vehicles.

#### E. ASSIGNMENT USE LOGS

Vehicle use logs will be maintained for all pool, temporary, and individual assignments that because of their job duties are required to be in the field. Vehicle logs should denote the time and mileage for all stops, including lunch and breaks.

### III. POLICIES

#### A. GENERAL

1. The State Treasurer, through the Director, is responsible for the management and control of all State vehicles and shall promulgate from time to time additional or supplementary regulations necessary to implement the provisions of this circular.
2. Each State department and agency shall promulgate internal policies and procedures necessary to ensure compliance with this circular and all other subsequent rules and regulations issued under the guidance of this circular. Those internal policies should be filed with the Director. Internal policies should include an annual review to determine that

- the need for the assigned vehicle continues. The Director may request justification of assignments as deemed necessary.
3. All complaints regarding a potential misuse of a State vehicle should be forwarded to either the State Vehicle Abuse Hotline at 1-800-992-2761 or the State Vehicle Abuse Hotline website at [https://www.state.nj.us/treas/administration/vehicle\\_complaint.shtml](https://www.state.nj.us/treas/administration/vehicle_complaint.shtml).
  4. Appropriate vehicle use is the responsibility of the using agency. The agency fleet must be managed in order to ensure use consistent with this circular.
  5. All changes to vehicle assignment, whether pool or individual, must be reported to Transportation Services with 10 working days on form ADMV-103.
  6. All cabinet vehicles shall have standard New Jersey license plates. All other vehicles shall be marked as official State vehicles with the approved State seal in accordance with State statute N.J.S.A. 52:31-13 and shall display the vehicle abuse hotline bumper sticker. Failure to maintain required seals and stickers will be considered misuse of a state vehicle. Fines and penalties for violations are at the discretion of the Director of Administration. An exemption to this policy can be requested for vehicles that are to be used strictly for investigative or other work where anonymity is necessary. Exemptions must be submitted to the Director in writing and must fully document the nature or work and need for confidentiality.
  7. All State light duty and passenger vehicles shall be purchased with air conditioning and FM radios.
  8.
    - a) The standard cabinet (Class A) vehicle may be a full size or intermediate, four-door sedan. All other permanent and temporary fleet vehicles shall be compact sedans, unless the requesting agency demonstrates, in writing, that special passenger, cargo, equipment, or use requirements make the standard fleet vehicle unsuitable for agency needs. Replacement vehicles must be of similar class and all requests will be reviewed by the Division for appropriate class size based on intended use. The purchase cost and costs associated with special requirements will be the responsibility of the using agency.
    - b) The Division will promulgate via communication with agency heads and/or vehicle coordinators, policy, procedures and other regulations required for the replacement of vehicles, additions of vehicles to the fleet and recalls of fleet vehicles as necessary.
  9. The personal use of a permanently or temporarily assigned vehicle is prohibited. However, during normal work hours the vehicle may be used for authorized lunch and break periods, which must be recorded in the log. The use of a State vehicle for personal errands, any form of shopping, or personal business activity during the authorized lunch or break period is prohibited. The need for emergency medical treatment, or prescription drugs in an urgent situation, would not be considered as unauthorized use.
  10. All damage to State vehicles, regardless of cause, must be reported within 24 hours and in accordance with the procedures set forth by the Bureau of Risk Management, and annexed hereto. A fully completed RM-1A must be filed with his/her supervisor and vehicle coordinator within 24 hours. A \$250 per incident fine will be imposed on the State driver's Department for failure to comply.
  11. All accidents shall be reviewed by a panel of State employees who comprise the Transportation Services Automobile Accident Review Board. The Board shall report its findings and recommendations to the appropriate department or agency personnel officer, who shall take actions as required.
  12. When State vehicles are used for travel 25 miles or more beyond the borders of the State, and a credit card is required, advance notice is to be given to Transportation Services by filing the appropriate form (ADMV-106) through the Director.
  13. Assignment of commercial credit cards for the purchase of gasoline, oil, or emergency minor repairs (under \$100), after work hours or on weekends may be requested through Transportation Services in accordance with the provisions of Circular 10-06-ADM, Motor Vehicle Credit Card Assignment and Use.

14. No physical alterations shall be made to a Transportation Services vehicle without proper approval from the Chief of Transportation Services. This regulation applies to the installation of communications or audio equipment that would deface the vehicle, authorized changes to the body or engine, additions of using agency logos or insignias or the removal of the State seals or vehicle abuse hotline stickers.
15. Tax liability for use of State-provided vehicles shall be in accordance with all circulars on the subject. Circulars are issued annually to reflect current IRS rules and regulations.

#### B. DRIVER/COORDINATORS

1. Drivers of individually or permanently assigned vehicles may store vehicles at their residences and drive vehicles to and from their official work stations when required by work assignment. It should be noted that commutation is not the primary purpose of individually assigned vehicles. In those cases when a pool vehicle is relocated because of the lack of a secure parking facility, those vehicles could be assigned on a priority basis to those employees whose residences are the nearest to that unit's parking facility.
2. The vehicle coordinators of agency pool vehicles should demonstrate official State business usage in excess of 750 miles per month, unless a frequency of use for less mileage can be satisfactorily justified to the Director, or his/her designee.
3. Drivers or coordinators of permanent or temporary pool vehicles, other than cabinet vehicles, must report both official business and commutation miles for each vehicle on the appropriate form or computer disk. Mileage reports are due at the end of the assignment term or by the fifth working day of each month for the entire term of a multi-month assignment. For the purpose of this circular, commutation is defined as direct travel between an employee's residence and official work station. (See B. Item 14)
4. Drivers of any State vehicle must possess a valid driver's license to operate a motor vehicle in the State of New Jersey.
5. Drivers are responsible for operating safe vehicles and, as such, must report unsafe conditions as soon as possible to Transportation Services. Prior to the operation of any State vehicle it shall be the individual driver or pool leader's responsibility to complete a pre-trip visual inspection of the vehicle. A pre-trip inspection shall include checking all fluid levels. In addition to the physical condition of the vehicle, safe operation will include obeying all State and local traffic laws, possessing a valid drivers license, registration, motor vehicle identification card and inspection sticker. Drivers are not permitted to operate a State vehicle which is unsafe or which is not properly equipped for the foreseeable road, weather, and light conditions. Pre-inspections of a vehicle will include the presence of State seals and vehicle abuse hotline bumper sticker.
6. When a vehicle is due for preventive maintenance, the driver of an individually assigned vehicle and the vehicle coordinator for an agency pool vehicle are responsible for ensuring that the vehicle is returned to Transportation Services for scheduled service. Failure to adhere to this requirement could result in the vehicle being recalled and the agency being charged for damage that results from non-compliance. Transportation Services' maintenance interval is eight months or 7,500 miles, whichever comes first.
7. A driver assigned a State vehicle is responsible for the security of the vehicle and its contents. The vehicle must be legally parked with the engine off and doors locked when left unattended.
8. Drivers are personally responsible for all fines accrued as a result of traffic violations related to operation of State vehicles as outlined in Circular 10-07-ADM, State Vehicle Parking Violation Control Policy.
9. Damage to State Vehicles
  - a) The State driver or the driver's supervisor, if the driver is incapacitated, of a vehicle involved in an accident resulting in damage to the State vehicle must file, within

- 24 hours of the accident, a fully completed written accident report (RM-1A) with his/her department's vehicle coordinator.
- b) The departmental vehicle coordinator or designee shall, within 48 hours after receipt of the RM-1A, file an original and two copies of the report to Transportation Services in the Department of the Treasury.
  - c) Police shall be notified of an accident by the driver or department vehicle coordinator if the driver is incapacitated. A copy of the police report must be submitted to Transportation Services as soon as it is available.
  - d) An incident report (RM-1B) will be filed with Transportation Services whenever other vehicle damages are incurred. The filing time parameters for the RM-1B are the same as the RM-1A.
  - e) Failure to comply with the aforementioned can result in appropriate departmental disciplinary action or in recall of the vehicle by the Director. Any fee charged for a police report will be borne by the using agency or driver.
  - f) Drivers are required to inspect their vehicles each day before use for any damage that may have occurred during idle periods. Noted damage should be reported to the vehicle coordinator immediately.
10. If a State vehicle is misused in any of the following ways, the driver's State vehicle driving privileges may be suspended or revoked, and additional disciplinary action may be taken if deemed appropriate.
- a) Frequent violation of traffic laws, as shown on the driver's abstract as determined by the Director or his/her designee.
  - b) Flagrant violation of the traffic laws, as determined by the Director or his/her designee.
  - c) Operation of the vehicle which causes an accident (as determined by the State Accident Review Board).
  - d) Use of a vehicle for unauthorized personal, business, or commutation use.
  - e) Violation of circulars governing the assignment, use, operation, repair, and/or maintenance of vehicles. This includes the failure to submit a vehicle for preventive maintenance.
  - f) Operation of a vehicle while impaired to any degree, or under the influence of alcohol or narcotics as defined by State statutes.
  - g) Use of a State vehicle by an unauthorized individual while assigned to an employee. An employee shall mean any officer, employee, or other individual authorized to operate a State vehicle on official State business. Persons working for the State who are hired through temporary employment agencies and are not paid directly by the state are not permitted to operate State vehicles. Contract repair vendors, whose employees may operate State vehicles in the performance of the contract, must be insured to the limit of the standards and terms of the contract. Agencies who use non-contract vendors, whose employees may be required to operate a State vehicle in the performance of a service to the State, must contact the Bureau of Risk Management for guidance before any such person is allowed to operate any State vehicle. Any question concerning the eligibility of a driver to operate a State vehicle should be referred to the Bureau of Risk Management.
  - h) The use of a State vehicle to transport any person, other than in the course of their assigned duties and responsibilities, is prohibited.
  - i) While in a state vehicle the driver and any passengers are prohibited from smoking any type of tobacco product (i.e. cigarettes, cigars or pipes).
11. The use of audio, tape recorder, etc., equipment (including headphones) is prohibited except when factory installed.
12. The use of radar detectors in State vehicles is not permitted.
13. The use of a cell phone while driving a State vehicle is only permitted when conducting official State business and only when a hands-free device is utilized.

14. All agencies with permanently assigned Central Motor Pool vehicles are required to submit a monthly Vehicle Usage Report (ADMV-104). This report must be submitted to Transportation Services within five working days of the close of the reporting month. If the vehicle is an individual assignment it is the responsibility of the individual assigned the vehicle to submit the ADMV-104. If the vehicle is an agency pool assignment, it is the responsibility of the vehicle coordinator to see that the ADMV-104 is submitted indicating the number of miles at the time of service and the number of days assigned or used prior to being put in for service. Three periods of non-use in one year will be considered reason to recall the vehicle.
15. Drivers are required to fuel eligible dual-fuel, flex-fuel, or alternative fuel State vehicles with the cleanest fuel types available, which are compatible with the vehicle. This requires maximizing the use of approved alternate fuels, while minimizing the use of petroleum-based gasoline and diesel products. Examples of preferred fuel types include compressed natural gas (CNG), propane, biodiesel (B20) and ethanol (E85), once this alternative fuel becomes available at State fueling locations. This will reduce greenhouse gas air emissions and reduce petroleum consumption by the State vehicle fleet, in compliance with the Federal Energy Policy Act.
16. State drivers are required to operate State vehicles in an energy-efficient manner. This minimizes fuel consumption and cost, reduces greenhouse gas emissions, and reduces air pollution. Energy-efficient vehicle operation includes the following practices:
  - a) Plan vehicle trips in advance to minimize distances traveled.
  - b) Carpool with others when feasible to maximize vehicle occupancy.
  - c) When using a pool vehicle, select the most fuel-efficient vehicle possible.
  - d) Turn State vehicles in for regular maintenance as required ensuring efficient operation.
  - e) No State vehicle should be allowed to idle longer than three minutes while parked, excluding law enforcement.
  - f) Utilize cruise control, if available, to maintain steady speeds during highway travel, when safe to do so.
  - g) Check tire pressure every two months, maintaining the air pressure specified on the tire sidewall.
  - h) Obey posted speed limits and avoid rapid acceleration (excluding law enforcement activities).
  - i) Remove unnecessary items from the passenger compartment or trunk to reduce vehicle weight.
  - j) If the "Check Engine Light" comes on and stays on, first check the gasoline fuel cap to make sure it is tight. If the light stays on after several trips after tightening the cap, make an appointment to have the vehicle checked by the vehicles' assigned maintenance location. If, at any time, the "Check Engine Light" comes on and is flashing, proceed to the nearest safe location and contact the vehicles' assigned maintenance location to have the vehicle checked. A flashing "Check Engine Light" means a severe engine problem has occurred that could damage the vehicle if not repaired.

### C. PENALTIES

When disciplinary action is necessary, progressive, uniform, and mandatory penalties should be applied. The burden of determining the severity of the abuse and for taking appropriate disciplinary action (and referral to Employee Advisory Service) lies with the agency manager,

who has the flexibility to consider such factors as willful intent. Should the agency fail to act in the best interest of the State (i.e., appropriate disciplinary action for the inappropriate use of a State vehicle), the Director, or his/her designee may find it necessary to revoke the State vehicle driving privileges of the offending employee, or recall the vehicle from the offending agency.



David Ridolfino  
Director